UNITED
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Security Council

Distr.
GENERAL

S/24421
13 August 1992
ENGLISH
ORIGINAL: ENGLISH/FRENCH

Belgium, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America: draft resolution

The Security Council,

Reaffirming its resolutions 713 (1991) of 25 September 1991, 721 (1991) of 27 November 1991, 724 (1991) of 15 December 1991, 727 (1992) of 8 January 1992, 740 (1992) of 7 February 1992, 743 (1992) of 21 February 1992, 749 (1992) of 7 April 1992, 752 (1992) of 15 May 1992, 757 (1992) of 30 May 1992, 758 (1992) of 8 June 1992, 760 (1992) of 18 June 1992, 761 (1992) of 29 June 1992, 762 (1992) of 30 June 1992, 764 (1992) of 13 July 1992 and 769 (1992) of 7 August 1992,

Noting the letter dated 10 August 1992 from the Permanent Representative of the Republic of Bosnia and Herzegovina to the United Nations (S/24401),

Underlining once again the imperative need for an urgent negotiated political solution to the situation in the Republic of Bosnia and Herzegovina to enable that country to live in peace and security within its borders,

Reaffirming the need to respect the sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina,

Recognizing that the situation in Bosnia and Herzegovina constitutes a threat to international peace and security and that the provision of humanitarian assistance in Bosnia and Herzegovina is an important element in the Council's effort to restore international peace and security in the area,

Commending the United Nations Protection Force (UNPROFOR) for its continuing action in support of the relief operation in Sarajevo and other parts of Bosnia and Herzegovina,

Deeply disturbed by the situation that now prevails in Sarajevo, which has severely complicated UNPROFOR's efforts to fulfil its mandate to ensure the security and functioning of Sarajevo airport and the delivery of humanitarian assistance in Sarajevo and other parts of Bosnia and Herzegovina pursuant to resolutions 743 (1992), 749 (1992), 761 (1992) and 764 (1992) and the reports of the Secretary-General cited therein,

Dismayed by the continuation of conditions that impede the delivery of humanitarian supplies to destinations within Bosnia and Herzegovina and the consequent suffering of the people of that country,

Deeply concerned by reports of abuses against civilians imprisoned in camps, prisons and detention centres,

Determined to establish as soon as possible the necessary conditions for the delivery of humanitarian assistance wherever needed in Bosnia and Herzegovina, in conformity with resolution 764 (1992),

Acting under Chapter VII of the Charter of the United Nations,

1. Reaffirms its demand that all parties and others concerned in Bosnia and Herzegovina stop the fighting immediately;

2. Calls upon States to take nationally or through regional agencies or arrangements all measures necessary to facilitate in coordination with the United Nations the delivery by relevant United Nations humanitarian organizations and others of humanitarian assistance to Sarajevo and wherever needed in other parts of Bosnia and Herzegovina;

3. Demands that unimpeded and continuous access to all camps, prisons and detention centres be granted immediately to the International Committee of the Red Cross and other relevant humanitarian organizations and that all detainees therein receive humane treatment, including adequate food, shelter and medical care;

4. Calls upon States to report to the Secretary-General on measures they are taking in coordination with the United Nations to carry out this resolution, and invites the Secretary-General to keep under continuous review any further measures that may be necessary to ensure unimpeded delivery of humanitarian supplies;

5. Requests all States to provide appropriate support for the actions undertaken in pursuance of this resolution;

6. Demands that all parties and others concerned take the necessary measures to ensure the safety of United Nations and other personnel engaged in the delivery of humanitarian assistance;

7. Requests the Secretary-General to report to the Council on a periodic basis on the implementation of this resolution;

8. Decides to remain actively seized of the matter.

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Security Council

Distr.
GENERAL

S/24422
13 August 1992
ENGLISH
ORIGINAL: ENGLISH/FRENCH

Belgium, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America: draft resolution

The Security Council,

Reaffirming its resolutions 713 (1991) of 25 September 1991, 721 (1991) of 27 November 1991, 724 (1991) of 15 December 1991, 727 (1992) of 8 January 1992, 740 (1992) of 7 February 1992, 743 (1992) of 21 February 1992, 749 (1992) of 7 April 1992, 752 (1992) of 15 May 1992, 757 (1992) of 30 May 1992, 758 (1992) of 8 June 1992, 760 (1992) of 18 June 1992, 761 (1992) of 29 June 1992, 762 (1992) of 30 June 1992, 764 (1992) of 13 July 1992, 769 (1992) of 7 August 1992 and 770 (1992) of 13 August 1992,

Noting the letter dated 10 August 1992 from the Permanent Representative of the Republic of Bosnia and Herzegovina to the United Nations (S/24401),

Expressing grave alarm at continuing reports of widespread violations of international humanitarian law occurring within the territory of the former Yugoslavia and especially in Bosnia and Herzegovina including reports of mass forcible expulsion and deportation of civilians, imprisonment and abuse of civilians in detention centres, deliberate attacks on non-combatants, hospitals and ambulances, impeding the delivery of food and medical supplies to the civilian population, and wanton devastation and destruction of property,

Recalling the statement of the President of the Council of 4 August 1992 (S/24378),

1. Reaffirms that all parties to the conflict are bound to comply with their obligations under international humanitarian law and in particular the Geneva Conventions of 12 August 1949, and that persons who commit or order the commission of grave breaches of the Conventions are individually responsible in respect of such breaches;

2. Strongly condemns any violations of international humanitarian law, including those involved in the practice of "ethnic cleansing";

3. Demands that all parties and others concerned in the former Yugoslavia, and all military forces in Bosnia and Herzegovina, immediately cease and desist from all breaches of international humanitarian law including from actions such as those described above;

4. Further demands that relevant international humanitarian organizations, and in particular the International Committee of the Red Cross, be granted immediate, unimpeded and continued access to camps, prisons and detention centres within the territory of the former Yugoslavia and calls upon all parties to do all in their power to facilitate such access;

5. Calls upon States and, as appropriate, international humanitarian organizations to collate substantiated information in their possession or submitted to them relating to the violations of humanitarian law, including grave breaches of the Geneva Conventions, being committed in the territory of the former Yugoslavia and to make this information available to the Council;

6. Requests the Secretary-General to collate the information submitted to the Council under paragraph 5 and to submit a report to the Council summarizing the information and recommending additional measures that might be appropriate in response to the information;

7. Decides, acting under Chapter VII of the Charter of the United Nations, that all parties and others concerned in the former Yugoslavia, and all military forces in Bosnia and Herzegovina, shall comply with the provisions of the present resolution, failing which the Council will need to take further measures under the Charter;

8. Decides to remain actively seized of the matter.

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Security Council

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S/24423
12 August 1992

ORIGINAL: ENGLISH

LETTER DATED 12 AUGUST 1992 FROM THE PERMANENT REPRESENTATIVE OF EGYPT TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

In view of the deteriorating situation in Bosnia and Herzegovina involving very serious violations of human rights and international law, abetted by acts of interference and armed intervention by a foreign country, threatening international peace and security, I have the honour to request, on behalf of the Government of the Arab Republic of Egypt, an urgent meeting of the Security Council, with formal debate, to consider the situation there and to take appropriate collective action, including measures provided under Article 42, Chapter VII, of the Charter of the United Nations to restore peace and stability in the region.

(Signed) Nabil ELARABY
Ambassador
Permanent Representative

92-37665 3343f (E) 120892

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S/24424
12 August 1992

ORIGINAL: ENGLISH

NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

After the consultations held on 12 August 1992, the President of the Security Council issued the following statement on behalf of the members in connection with the item relating to the Libyan Arab Jamahiriya:

"The members of the Security Council held informal consultations on 12 August 1992 pursuant to paragraph 13 of resolution 748 (1992), by which the Council decided to review every 120 days or sooner, should the situation so require, the measures imposed by paragraphs 3 to 7 against the Libyan Arab Jamahiriya.

"After hearing all the opinions expressed in the course of the consultations, the President of the Council concluded that there was no agreement that the necessary conditions existed for modification of the measures of sanctions established in paragraphs 3 to 7 of resolution 748 (1992)."

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S/24425
12 August 1992

ORIGINAL: ENGLISH

NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

Following consultations of the Security Council, held on 12 August 1992, the President of the Council made the following statement to the media on behalf of the members of the Council in connection with the item entitled "The situation relating to Afghanistan":

"The members of the Security Council express their utmost concern over the wide-scale fighting which has broken out in Kabul and which has already resulted in heavy loss of life and property, including to foreign missions and their personnel.

"The members of the Security Council urge that the Government of Afghanistan take every measure to ensure the safety and security of all diplomatic and international missions, as well as their personnel in Kabul, and call upon all those involved in the hostilities to cease such hostilities and establish the necessary conditions for the safe evacuation of foreign personnel."

92-37726 3353g (E) 120892

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GENERAL

S/24426
12 August 1992
ENGLISH
ORIGINAL: FRENCH

NOTE VERBALE DATED 11 AUGUST 1992 FROM THE PERMANENT MISSION OF ALGERIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of Algeria to the United Nations presents its compliments to the Secretary-General of the United Nations and, in accordance with paragraph 12 of Security Council resolution 757 (1992), has the honour to inform him that the Algerian Government has taken the necessary administrative measures and instructed the bodies and structures concerned to comply with the provisions of resolution 757 (1992).

The Algerian Government takes this opportunity to emphasize the seriousness of the damage sustained by various sectors of the Algerian economy as a result of the implementation of the provisions of that resolution. In the exercise of its right under Article 50 of the Charter of the United Nations, the Government will transmit to the Committee established by paragraph 13 of resolution 757 (1992) a memorandum on the damage sustained as a consequence of its implementation.

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Security Council

Distr.
GENERAL

S/24427
14 August 1992
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 11 AUGUST 1992 FROM THE PERMANENT REPRESENTATIVE OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit herewith a note showing the impact of the implementation of Security Council resolution 748 (1992) on the agencies and companies of the strategic industries sector.

I should be grateful if you would have the note circulated as an official document of the General Assembly.

(Signed) Ali Ahmed ELHOUDERI
Permanent Representative

92-38176 3358g (E) 140892 140892

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Annex

Impact of the implementation of Security Council resolution 748 (1992) on the agencies and companies of the strategic industries sector

By a follow-up of the operations of the agencies and companies of the strategic industries sector, it has become clear that they have been affected by the aerial embargo imposed under the above-mentioned resolution in the following areas:

- Importation of spare parts for emergencies;

- Replacement of missing or defective equipment and components for the assembly industries that were, under the contracts, to have been imported speedily by air;

- Delay in the dispatch of documents from banks dealt with on an urgent basis;

- Obstruction and delay of direct meetings between the agencies and companies of the sector and international companies, which are normally held periodically or when urgently needed for the purpose of discussing matters relating to the import of production inputs, spare parts and technical assistance. As a result, there are now a number of production lines in agencies and companies of the sector that may have to halt operations at any moment.

The companies of the sector may be divided into two categories as regards the degree of impact:

1. Companies globally affected;

2. Companies partially affected.

I. Companies globally affected

1. The Libyan Iron and Steel Company

2. The General Chemical Industries Company

3. The Arab Cement Company

4. The Libyan Cement Company

5. The Libyan Tractor Company

6. The Libyan Truck and Bus Company

7. The Executive Agency for the Electronic Industries

8. The General Electronics Company

9. The General Computer Company

10. The General Piping Company

II. Companies partially affected

1. The National Trailer Company

2. The National Smelting Company

3. The National Equipment Servicing Company

4. The National Scrap Metal Company

5. The Libyan Aluminium Company

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S/24428
14 August 1992
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 11 AUGUST 1992 FROM THE PERMANENT REPRESENTATIVE OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit herewith a letter addressed to you by Mr. Ibrahim M. Bishari, Secretary of the People's Committee of the People's Bureau for Foreign Liaison and International Cooperation, with an annexed report on the impact of the implementation of Security Council resolution 748 (1992) during the period from 15 April to 31 July 1992.

I should be grateful if you would have the letter and the appended report circulated as official documents of the Security Council.

(Signed) Ali Ahmed ELHOUDERI
Permanent Representative

92-38189 3437j (E) 170892 180892

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Annex

I wish to inform you about the damage caused to the Libyan people as a result of an as yet unproven charge against my country, namely, the halting of the arrival of medical supply orders for drugs, appliances, equipment and medical necessities, the ban on sending abroad sick patients who cannot be treated locally and the fact that it is impossible for specialists in the medical sciences to come to the Jamahiriya in order to treat difficult cases and carry out delicate surgical procedures. This is in addition to the economic impact of the aerial embargo, for agricultural and livestock production has sustained large-scale damage.

When the members of the Security Council voted on resolution 731 (1992), their vote was not against Libya but against terrorism. Since Libya has proved its renunciation of terrorism, as witnessed by its dealings with the United Kingdom Government with regard to the question of the Irish Republican Army (IRA), has handed over to France the file on the Palestinian citizen and has called for the establishment by you of a commission to ascertain whether camps or installations for training terrorist elements exist in the Jamahiriya or not, which confirms that Libya has responded to resolution 731 (1992), as affirmed by the resolutions of the Basic Popular Congresses, the Jamahiriya asks the United Nations Security Council to send a commission to ascertain the enormous damage caused by the embargo imposed on the Libyan people and to see at close hand what that people is suffering as a result of the sanctions imposed on it on the basis of a charge that is so far unproven.

1. The harsh and distressing sanctions that have been imposed on the Libyan people constitute a violation of international law and the United Nations Charter. This wrong to which the small and peace-loving Libyan people has been exposed without committing any offence lacks any moral or legal basis.

2. The mere suspicion of Libyans who have not been proved to have any connection with the Pan American aircraft incident and concerning whom no legal judgement has been handed down, cannot be justification for the imposition of these unjust and harsh sanctions. It is as though the accused were guilty before being convicted, which shows clearly the depth of the moral and legal crisis in which the international community is engulfed.

3. Those who induced the Security Council to impose the sanctions bear political, legal and moral responsibility for the tragedies to which the Libyan people is exposed, such as the deaths of children, old people and women, the decline of living standards, the slowing down of the development process and the imprisonment of a whole people, because all these dimensions relate directly to the essence of human rights.

4. History will bear witness to the atrocity of what is being committed in the name of the Security Council against an entire people.

We urgently call upon you to lift, or at least to alleviate, the unjust and unjustified sanctions imposed on the Libyan people, because of the extensive damage that they cause to the entire people and because they have no moral or legal basis.

The continuation of the sanctions after Libya's response to Security Council resolution 731 (1992) and the positive initiatives that it has taken with a view to resolving the issue is interpreted by the Arabs as a racist action aimed at them exclusively.

In conclusion, I transmit herewith a list of the damage resulting from Security Council resolution 748 (1992) for your information and for circulation to the members of the Security Council and the Members of the United Nations as an official document.

(Signed) Ibrahim M. BISHARI
Secretary of the People's Committee
for Foreign Liaison and International
Cooperation

Appendix

Impact of the implementation of Security Council resolution 748 (1992) during the period from 15 April to 31 July 1992

Since the beginning of its implementation on 15 April 1992, Security Council resolution 748 (1992) has caused damage to the Libyan Arab people in various aspects of human and economic life. This damage consists of the following:

I. Human impact

- Non-arrival of medical supply orders for essential drugs, appliances, equipment and medical requirements such as sera, vaccines, laboratory reagents and operating supplies. These orders total 156 at a value of $50 million.

- It has been impossible to send abroad 3,445 sick patients whom it is impossible to treat locally. These cases include heart disease, multiple embolisms, kidney transplants, bone-marrow transplants, neurosurgery and third-degree burns. These patients cannot be transported by land, which would mean for them a sure sentence of death within sight and hearing of their families.

- The difficulty of transporting the dead to and from the Jamahiriya. For example, the corpse of one citizen was carried from Switzerland to Tunisia, then back to Switzerland, from there to Malta and then to Tripoli, where the corpse arrived 10 days after death.

- Eighty specialists in various medical fields were unable to come to the Jamahiriya in order to provide treatment for some difficult cases, perform delicate surgery and participate in medical symposiums, lectures, examinations and consultations.

- Five hundred and three medical and paramedical personnel under contract to work in the various health facilities were unable to come, while approximately 150 medical and paramedical personnel under contract to work in the various health facilities are submitting their resignation each month.

- There has been a stoppage of services for the maintenance of electromechanical medical equipment used in health facilities as a result of non-arrival of spare parts to a value of approximately US$ 10 million.

- During the period from 15 April to 31 July 1992, the aerial embargo caused the death of 150 serious and urgent cases while they were being transported by land routes to airports in Egypt and Tunisia because it was impossible to treat them locally. The delay in the

arrival of rush orders caused serious aggravation of illness and death in the case of 100 infants at hospitals in the Jamahiriya. In addition, the non-availability of the necessary spare parts for the maintenance of electromagnetic medical equipment, the delay in the arrival of essential operating supplies and the fact that some medical specialists and consultants were unable to come to the Jamahiriya has resulted in the deaths in childbirth of 20 Libyan women.

- In past years, Libyan pilgrims totalled an annual average of 30,000, while this year the total was approximately 3,500 only. The average number of Libyan Arabs performing the rights of the Umrah at the appropriate time was 25,000, but this number will not be able to perform the rite this season.

- The use of land routes for travel to and from the Jamahiriya led to an increase in traffic accidents during the past four months over the figure for the same period in 1991. Traffic accidents increased from 2,401 in 1991 to 3,788 during the past four months of 1992. The number of deaths resulting from such accidents rose from 389 to 528, an increase of approximately 35 per cent.

- International organizations were unable to fulfil their obligations vis-à-vis the Jamahiriya, since the joint programme to study preventive and training programmes with the World Health Organization was not implemented.

- Four meetings with the United Nations Food and Agriculture Organization and the Agricultural Development Fund relating to the screw-worm fly programme in the Jamahiriya. Four experts of the screw-worm fly programme left the Jamahiriya before the end of the programme.

II. Economic impact

As a result of the imposition of the aerial embargo on the Jamahiriya, agricultural and livestock production suffered widespread damage. Other economic activities were also affected by the embargo. The resultant loss amounts to US$ 2,157 million, broken down as follows:

(a) Impact of the aerial embargo on food production

- $175 million worth of dairy products and derivatives, including $60 million worth of milk and infant foods, was not delivered.

- Exports of vegetables, fruits and fresh fish were affected, which caused a decline of $60 million in export earnings.

- The loss in agricultural and livestock production was estimated at $1,062,803,122.

This loss reflects the non-production of:

- 25,000 tons of mutton, lamb and goat-meat;

- 1,750 tons of beef;

- 5,500 tons of chicken;

- 6 million litres of milk;

- 250 million eggs for human consumption.

This resulted from the halting of supplies of veterinary drugs and sera by air from certain European States such as France, Switzerland, Germany and the United Kingdom to protect the livestock from epidemic and communicable diseases, since the proportion of deaths in unimmunized newborn animals came to 90 per cent.

- Loss of 208 million eggs for human consumption and 7,800 tons of chicken that would have been produced by importing 4.3 million eggs for incubation, 204,000 turkey chicks and 1.6 million 16-week-old chicks under contracts concluded with European countries; delivery was prevented by the aerial embargo.

- The competent authorities have been unable to import $20 million worth of the following production inputs needed for cultivation of existing areas or reclamation of land within the framework of food self-sufficiency:

- 3,000 tons of trace elements from the English company Fisons. Production of wheat and barley fell by 30 per cent because of failure to apply this kind of fertilizer.

- 925 kilogrammes of hybrid seeds of various kinds of vegetables to be grown under cover in order to produce 96,000 tons to meet 80 per cent of the Jamahiriya's need for such vegetables to an estimated value of $158 million.

- 1.5 million fruit and banana seedlings, seeds and roots.

- 2,000 swarms of bees from Australia and 20,000 strips of Apistan from Switzerland for bees.

- The agreement concluded with the Netherlands Agropa Company for the export of 550 tons of tomatoes, cucumbers, eggplant and cantaloupes to a value of $850,000 was not implemented.

- The negative impact of the aerial embargo on agricultural and livestock production caused it to fall 40 per cent below the level before the adoption of the resolution.

(b) Impact of the aerial embargo on other economic activities

- The value of credits opened for the import by air of various foodstuffs, operating requirements, drugs and equipment required for the various economic activities totalled approximately $500 million, and these goods have not yet arrived owing to the aerial embargo.

- The value of non-petroleum exports fell by 44 per cent, representing a reduction of $234 million.

- The production process in many factories was affected as a result of the restrictions imposed on the import of chemicals and certain other cleaning materials needed by these factories.

- The delay in the arrival of spare parts needed by factories caused a delay in the production process and a loss of much time and effort.

- As a result of the cessation of air transport, transport was diverted to land routes, which caused a rise in the use of private and public vehicles and trucks. This increased the amount of damage to public roads. The increase was estimated at 61 per cent of the overall anticipated damage due to road use before the implementation of the aerial embargo. Accordingly, the required increase in funds for maintenance of the coastal road alone will amount to $15 million.

- As a result of the cessation of air travel, Libyan Arab Airlines lost direct receipts of $145 million.

- The rate of operation of Libyan Arab Airlines aircraft dropped 64 per cent from the previous figure, while the rate of domestic operation fell by 40 per cent, owing to linkage with international traffic.

- The reduction of Arab workers in the foreign offices of Libyan Arab Airlines and the laying-off of local workers in those offices gave rise to additional financial burdens resulting from workers' compensation in the amount of $2 million.

- The Libyan Arab Air Freight Company bears the costs of maintaining its aircraft at a rate of $10 million, without any return.

- The Libyan Arab Air Freight Company lost $6 million as a result of the halt of air traffic.

- The Libyan Arab Air Freight Company bears the cost of wages and salaries equivalent to $9.5 million, without any economic return.

- The Light Air Transport Company lost income estimated at $1.25 million as a result of being unable to obtain the necessary spare parts to operate its aircraft.

- The operation of airports was halted because of the cessation of air traffic, and this resulted in a loss of income amounting to $2 million.

- The General Board for Civil Aviation and Meteorology incurred costs of $8 million representing payment of wages and salaries to workers.

- The Socialist Airports Company incurred costs of $4 million in wages and salaries for workers, without any return.

- The Socialist Airports Company lost $4.5 million as the result of the halting of international air traffic.

- As a result of the halting of air traffic, the Maritime Transport Company incurred the following costs:

  Payment of expenses for rental and purchase of passenger vessels in the amount of $12 million, with no prospect of an economic return.

  Additional financial commitments as a result of the increase in demand for vessels and other equipment.

  The general freight traffic in ports was affected as a result of the increase in passenger services.

- The General Company for Posts and Cables and Wireless Communications sustained additional financial burdens in the amount of $250,000 as a result of the routing of mail through intermediate points.

- There was a delay ranging between 24 and 48 hours in the receipt of incoming mail and the forwarding of outgoing mail, and this affected the activities of the other sectors, including health, oil and banking.

- The non-arrival of spare parts gave rise to the interruption of internal communications, which had a direct effect on the provision of essential humanitarian services, such as hospital, first aid and civil defence services.

- The receipts of the General Company for Posts and Cable and Wireless Communications fell by $8 million as a result of the non-arrival of spare parts and lack of the necessary maintenance.

The Libyan Arab people is a small people, and its capacities are limited. However, at the same time, it needs the necessary capacities to defend its extensive territory. It has never attacked and will not attack anyone. Nevertheless, the embargo resolution, particularly the ban on the obtaining of spare parts, has paralysed the defensive capacity of the country entirely. The continuation of this situation will not serve any party except Zionism, which has ambitions in the region.